

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA,
Plaintiff-Appellee.

v.

No. 99-4628

GREGORY OXENDINE,
Defendant-Appellant.

Appeal from the United States District Court
for the District of South Carolina, at Florence.
C. Weston Houck, Chief District Judge.
(CR-97-559)

Submitted: April 27, 2000

Decided: May 4, 2000

Before NIEMEYER and MOTZ, Circuit Judges,
and BUTNZER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

COUNSEL

Debra Owens Jackson, Florence, South Carolina, for Appellant. J.
Rene Josey, United States Attorney, Robert H. Bickerton, Assistant
United States Attorney, Charleston, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See
Local Rule 36(c).

OPINION

PER CURIAM:

Gregory Oxendine pled guilty to conspiracy to possess with intent to distribute and to distribute cocaine in violation of 21 U.S.C. § 846 (1994), and was sentenced to a term of ninety-two months incarceration, but was continued on bond to allow him to continue cooperation with the government. The government later moved for a reduction of sentence pursuant to Rule 35(b), Federal Rules of Criminal Procedure, based on his substantial assistance. The district court granted the motion and reduced Oxendine's sentence to sixty months. Oxendine appeals the reduced sentence, challenging the extent of the district court's reduction. We find that we lack jurisdiction to review the extent of the reduction. See 18 U.S.C. § 3741(a) (1994); see also United States v. Pridgen, 64 F.3d 147, 149-50 (4th Cir. 1995) (holding that § 3742(a) governs appeals of rulings on Rule 35(b) motions); United States v. Hill, 70 F.3d 321, 323-24 (4th Cir. 1995) (finding that appellant review of extent of downward departure is not authorized under § 3742(a)).

We therefore dismiss the appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED